

BOARD OF APPEALS

201403973

**6649 Roswell Road Applicant:
Dantanna's Tavern, LLC**



Variance Petition No. 201403973

HEARING & MEETING DATES

Planning Commission Hearing
December 18, 2014

Board of Appeals Hearing
January 8, 2014

APPLICANT/PETITIONER INFORMATION

Property Owner
Dantanna's Tavern, LLC

Petitioner
Dantanna's Tavern, LLC

Representative
Mike Rogers

PROPERTY INFORMATION

Address, Land Lot(s),
and District 6649 Roswell Road
Land Lots 72, 73, 87, 88, District 17

Council District 4

Frontage Approximately 725 feet of frontage along the easterly side of Roswell Road (SR 9)) and 814 feet of frontage along the westerly side of Abernathy Road.

Area The subject property has a total area of 13.69 acres (596336.4 square feet).

Existing Zoning and Use C-1 (Community Business District) conditional under Fulton County zoning case 1967Z -152, currently developed with a shopping center.

Overlay District Main Street District

2027 Comprehensive
Plan Future Land Use
Map Designation Living-Working Community (LWC)

INTENT

The applicant is seeking a primary variance from Section 33.26.H.2.a of the Sandy Springs Zoning Ordinance to allow for:

1. Wall sign on the south elevation of the building, a non-street facing wall.

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

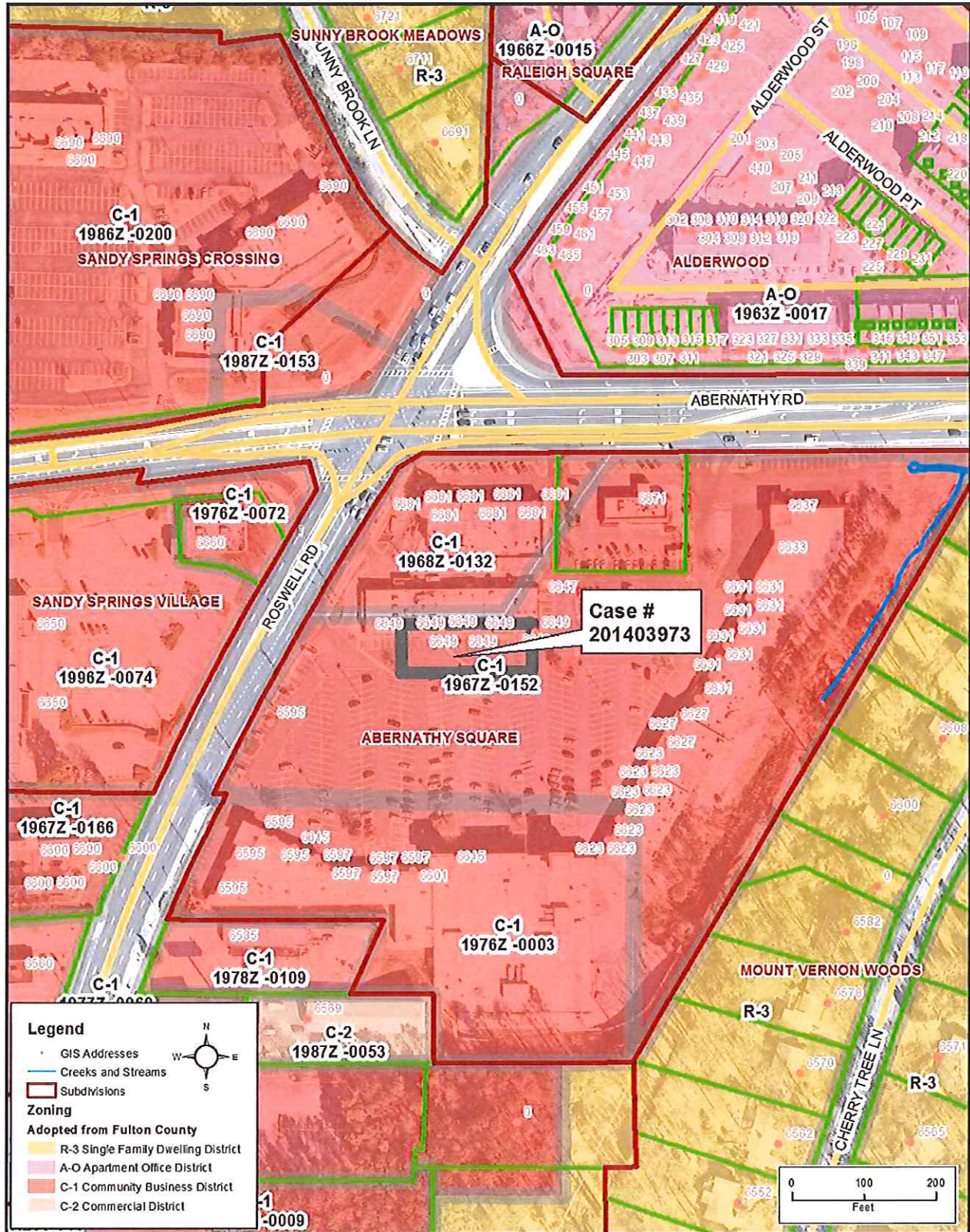
201403973- 1) Denial

PLANNING COMMISSION RECOMMENDATION

Recommend Approval (4-2, Tart, Squire, Maziar, and Nickles for; Porter and Frostbaum against; Duncan not voting), subject to staff conditions.

Parcel Map

6649 Roswell Road (SR9) #30



Prepared by the City of Sandy Springs Department of Community Development for the Board of Appeals Hearing on January 8, 2015

CITY OF SANDY SPRINGS
DEPARTMENT OF COMMUNITY DEVELOPMENT
VARIANCE ANALYSIS

CASE NUMBER: 201403973

STAFF CONTACT: Cristina Nelson, Senior Planner 770-206-1516
E-mail: cnelson@sandyspringsga.gov

Staff Analysis:

The subject site is located at 6649 Roswell Road (SR 9) at the intersection of Roswell Road (SR 9) and Abernathy Road. The property is zoned C-1 (Community Business District) Conditional pursuant to Fulton County zoning case 1967Z -152. Is currently developed with a shopping center. Additionally, this project is located within the Main Street District of the Sandy Springs Overlay District.

The subject of this variance is the Dantanna's Tavern building that was previously occupied by Applebee's in the Abernathy square, located on the south-east quadrant of the intersection of Roswell Road and Abernathy Road at an approximately 40' from the Roswell Road right of way.

The applicant is seeking a primary variance from Section 33.26.H.2 of the Zoning Ordinance to allow for a wall sign on a non-street facing wall.

The Sandy Springs Zoning Ordinance provides:

Section 33.26.H.Sandy Springs Overlay District

2. Wall Signs (amended 04/21/09, TA09-002, Ord. 2009-04-19).

- a. *Wall signs are permitted on street-facing walls (including windows and doors). Businesses without a street on which there is frontage, but which have exterior entrances to the building, are entitled to one wall sign on the exterior wall of the business. Wall sign(s) shall not exceed the smaller of five percent (5%) of the applicable wall area or one hundred eighty (180) square feet, confined to the upper thirty (30) feet of the facade. Wall signs shall not have changeable copy unless approved as a marquee sign.*

Because the location of this property at the intersection of Roswell Road and Abernathy Road the building is allowed to have wall signs on two (2) frontages, north and west. Currently Dantanna's Tavern has wall signs on the north and west elevations of the building.

The applicant propose to add a wall sign to the south elevation of the building, that elevation is facing the parking lot. To be able to add this sign a variance is required. The proposed wall sign measures 37.5sqft and is internally illuminated.

The applicant offers the following in support of the application:

"During the design and development phase of Dantanna's Tavern - Sandy Springs we felt very strongly that to be successful we needed to be visible. As the old adage goes in restaurants: location, location, location. We have a wonderful location when it comes to traffic counts and population, but are struggling with people knowing where we are due to the fact that we continue to look like a closed business to anyone looking at us from the heavily trafficked parking lot of Abernathy Square shopping

center, as well as anyone who enters by turning into the only entrance to the shopping center when traveling westbound on Abernathy. We have fielded dozens of complaints from guests who said that even when they found their way into the shopping center, they struggled to figure out where we were located.

During our permitting stage, the Sandy Springs Architectural Review Board twice denied our renderings, stating that Dantanna's Tavern needed to present a very positively visible image, being that it sits at the Gateway to Sandy Springs. After working very cooperatively with them to ensure that this was addressed, they approved the design (images included as part of the package), as is presented with this appeal. As noted, the design included a sign on this south-facing wall of our building. During the sign permitting process, we were denied permit for this south facing sign. The explanation was that code only allowed signage on building walls facing streets, if they have them. As the project had already been repeatedly delayed, I chose not to dispute this as I wanted to get open, and was unaware that it would be such a detriment to people's awareness of us".

The applicant states that a third sign would help advertise the store presence to the patrons of the Abernathy Square and better able the restaurant to continue its business in the community".

History

No Code Enforcement issues have been reported.

Standards for Consideration

Standards for Consideration

Zoning Ordinance

Section 33.26.H. 2 Sandy Springs Overlay District to allow a wall sign on a non-street facing wall.

Section 33.12.D. Standards

The standards which shall be considered for granting a variance from the standards of this Article shall be only the following:

1. *The topography of the lot on which the sign is located or to be located renders it impossible to comport with the strict standards of this Article.*

Findings:

The lot does not present any topographical challenges to justify the approval of this variance. Therefore, staff is of the opinion this standard has not been satisfied.

2. *The natural features of the lot on which the sign is located or to be located, or of the land immediately adjacent to the lot, impairs the visibility of the sign such that it cannot be seen.*

Findings:

The natural features of the lot do not present any challenges to justify the approval of this variance. Therefore, staff is of the opinion this standard has not been satisfied.

Department Comments

The staff held a Focus Meeting on November 5, 2014 at which time the following departmental comments were provided:

BUILDING AND LAND DEVELOPMENT DIVISION	Sandy Springs Building Officer Plan Review	▪ No Comments
	Sandy Springs Development Plan Review Engineer	▪ No Comments
	Sandy Springs Landscape Architect/ Arborist	▪ No Comments
FIRE DEPT.	Sandy Springs Fire Protection Engineer	▪ No Comments
TRANSPORTATION	Sandy Springs Transportation Planner	▪ No Comments
	Georgia Department of Transportation	▪ No Comments

Recommendation

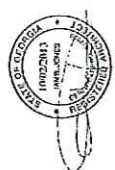
Staff reviewed the request relative to the variance standards contained in Section 33.12.D. of the Zoning Ordinance. Based upon this review, staff recommends DENIAL of the variance request.

Should the Board choose to approve the application, Staff recommends the following condition(s):

- 1) To allow for a wall sign on non-street facing wall on the south elevation of the building pursuant to the sign location and design, submitted by the applicant, and dated received November 4, 2014 by the Department of Community Development.

Attachments

Letter of Appeal, Property Survey, Sign Detail and Photographs.



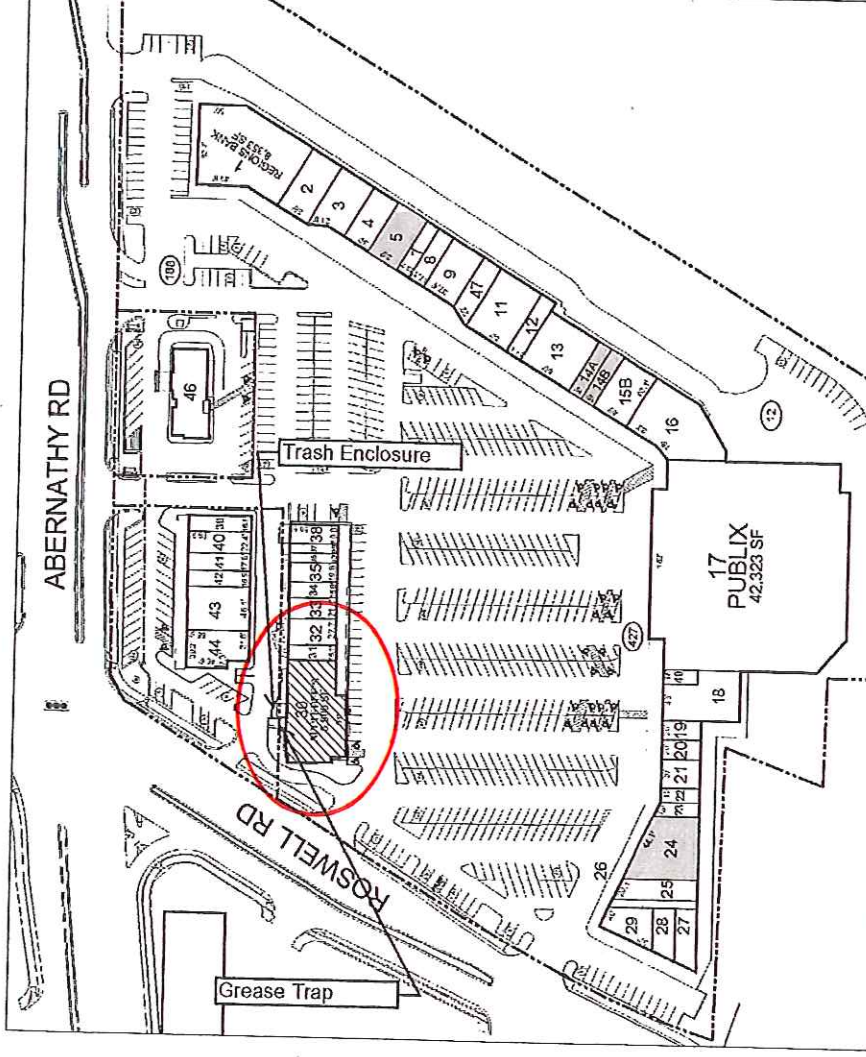
DANTANNA'S TAVERN
6640 ROSWELL RD
ABERNATHY SQUARE
ATLANTA, GA 30328

DATE: 10/22/2013
DRAWN BY: RJ
CHECKED BY: RJ
SHEET TITLE: SITE / KEY PLAN

SHEET NUMBER: A.004

COMMENTS: ISSUED FOR CONSTRUCTION

TENANT INDEX	
1	REGIONS BANK
2	SPRIGGS TRINIS
3	DICKY'S BARBECUE PIT
4	THE TRUCK
5	AVAILABLE
6	ALEX THE JEWELER
7	FREEDMAN'S MUSIC
8	MIRAGE RESTAURANT
9	HAIR TOWN BEAUTY SUPPLY
10	DIVINE DRAPER
11	IPOLITO'S
12	AVAILABLE
13	MASSIMO'S
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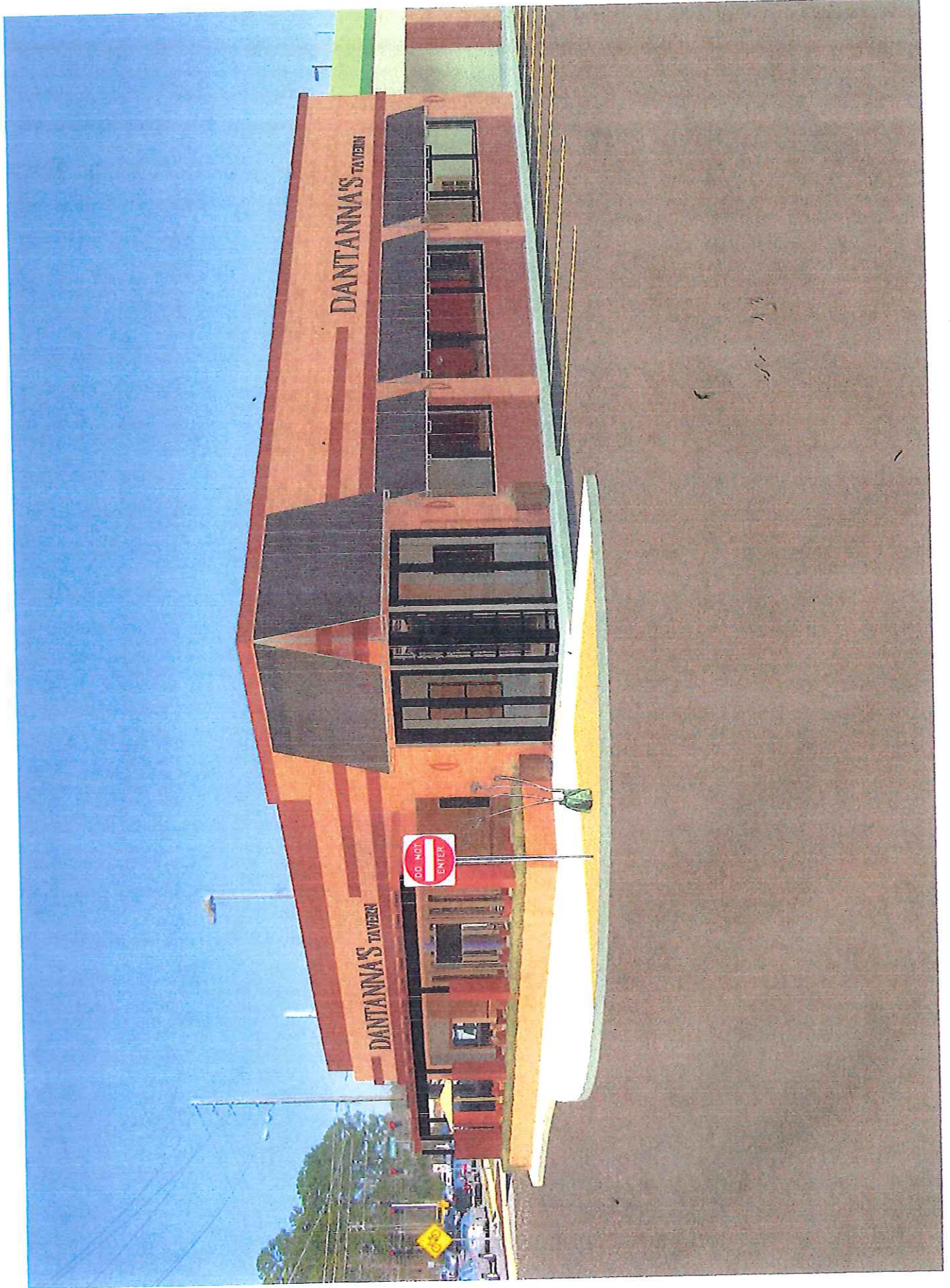


ABERNATHY SQUARE
6615 Roswell Rd NE
Sandy Springs, GA 30328
Latitude: 33.9359, Longitude: -84.3776

SITE / KEY PLAN
SCALE: 1/8" = 1'-0"

ddr
3000 Peachtree Road, Suite 100, Atlanta, GA 30328
Tel: 404.525.3777
Fax: 404.525.3778
www.ddr.com

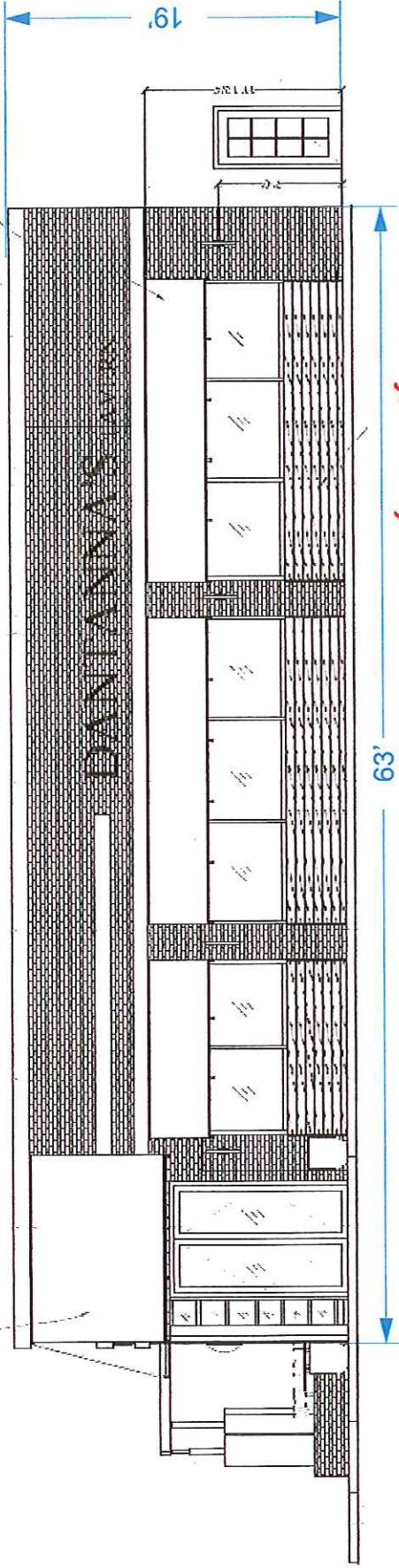
proposal



1/10/2017

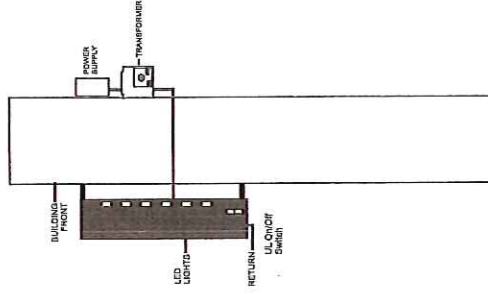
AWINGS TO BE APPROVED
UNDER SEPARATE PERMIT

AWINGS TO BE APPROVED
UNDER SEPARATE PERMIT



South Elevation (facing parking lot)

TYPICAL LED-LIT,
ULL REVERSE CHANNEL LETTER



DANTANNA'S TAVERN

1/4n= 1 ft

37.5 sq.ft.

Proposed

PROJECT:

ORIG. DATE:

CITY SIGN CODE:

CUSTOMER:

REV. DATE:

CUSTOMER APPROVAL:

CITY:

PROJECT REP.

Mike Rogers

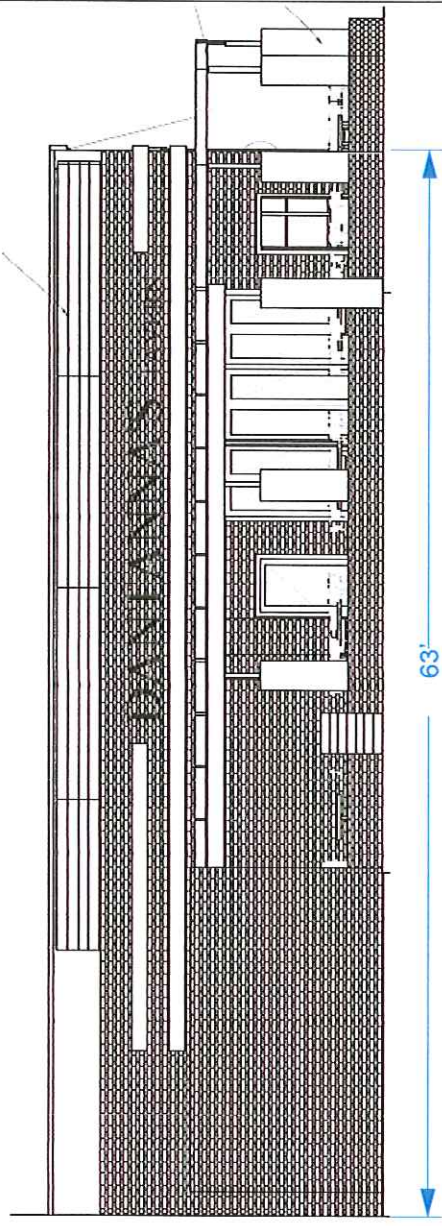
Sign

Date



Langley St. Clair
Sign Fabrication • New • LED Lighting
Signs & Service Atlanta
Sign Installation & Repair
2752 Bridgegate Trace
Marietta, Georgia 30068
Telephone 770-827-9113
Fax 770-565-0250
mikerogers@lscsigns.com

EXISTING NOV 14 WSC1

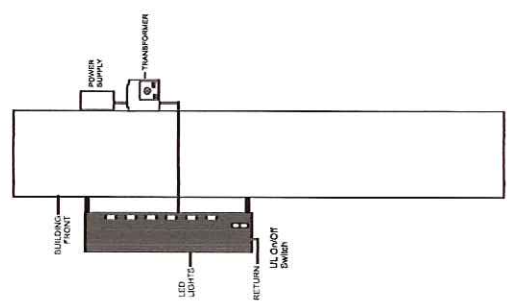


North Elevation

DANTANNA'S TAVERN

284"
37.5 sq.ft.

TYPICAL LED-LIT,
U.L. REVERSE CHANNEL LETTER



PROJECT:	ORIG. DATE:	CITY SIGN CODE:	Langley St. Clair <small>Sign Fabrication • Neon • LED Lighting</small> Signs & Service Atlanta <small>Sign Installation & Repair</small> 2752 Bridgegate Trace Marietta, Georgia 30068 Telephone 770-827-9113 Fax 770-565-0250 mikerogers@lscsigns.com
CUSTOMER:	REV. DATE:	CUSTOMER APPROVAL: _____	
CITY:	PROJECT REP. Mike Rogers	Sign _____ Date _____	